

**REMARKS**

Please note that the fact that September 20 and 21, 2008 fell on a Saturday and a Sunday, respectively, ensures that this paper is timely filed on Monday, September 22, 2008, the next business day.

Applicants and the undersigned are most grateful for the time and effort accorded the instant application by the Examiner. In the Office Action dated June 20, 2008, claims 1-4, 6, 8-11 and 14-20 were pending. Claims 1, 6, 10, and 16-19 are independent; the remaining claims are dependent. In response, Applicants have cancelled claim 15 and amended all other pending claims. The Office is respectfully requested to reconsider the rejections presented in the outstanding Office Action in light of the foregoing amendments and the following remarks.

It should be noted that Applicants have amended and cancelled certain in this application. Applicants are not conceding in this application that those claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the application. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications.

**Rejections under 35 USC 101**

Claims 6, 8, and 9 stand rejected under 35 USC 101 as being directed to non-statutory subject matter because the Examiner asserts that the claimed "provider" may encompass software per se. Applicants respectfully disagree. However, solely in an

effort to facilitate expeditious prosecution of the instant application, Applicants have amended claim 6 to recite, *inter alia*, “[a] provider *tangibly embodied in hardware to provide* a service for the acquisition of an Internet connection, said provider comprising...”. Claims 8 and 9 depend from claim 6. The Examiner will find support for these amendments throughout the specification, particularly at pp. 36, line 13.

**Rejection of claims under § 103(a)**

Claims 1, 5, 6, 8-10 and 13-19 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,993,559 to Jilk et al. (hereinafter “Jilk”) in view of U.S. Patent No. 5,896,506 to Ali et al. (hereinafter “Ali”) in further view of Suzuki (US Patent No. 5,956,488). Claims 2-4, 8, 11, 12 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Jilk in view of Ali in view of Suzuki and in further view of U.S. Patent No. 6,594,682 to Peterson et al. (hereinafter “Peterson”). Applicants respectfully request that the Examiner reconsider and withdraw these rejections.

Applicants have previously undertaken to explain the distinguishing features of the invention in view of the art of record. The remarks submitted with the previous amendments remain equally applicable here and are therefore incorporated by reference as if set forth herein. In the interest of brevity and clarity, Applicants will briefly explain distinguishing features of the instantly claimed invention and contrast these with the teachings of the prior art.

Briefly, the present invention broadly contemplates a system and method for web page acquisition which 1) *reduces the waiting time experienced by a user who accesses a*

network site when the network is busy and 2) *reduces the requests sent to the web page server*. *Specification*, page 4, lines 15-17. As discussed in the application, a schedule for the acquisition of a web page is prepared by applying a predetermined scheduling rule for an acquisition list that comprises acquisition requests. *Id* at page 25, lines 1-10. These requests **are combined** so that the requests in the list will not overlap with one another; *that is, an integrated list is formed so as to maximize the return of web pages requested while minimizing the number of requests that need to be made*. One such scheduling rule is the acquisition of a web page to be performed within a time period during which the volume of the communication traffic is small. *Id* at page 25, lines 8-10. The web page source that is acquired can be formed into a library file that can be both stored in a web page acquisition server as well as transmitted to the user. This is preferable because the user is able to handle the web page sources as a single local file rather than multiple pages that need to be accessed via the Internet. *Id* at page 7, lines 9-13.

Among others, advantages of the approach of the instantly claimed invention are: 1) the user may obtain web pages at off peak times, thus, e.g. reducing the time the user must wait to view web pages; and 2) the servers holding the web pages receive reduced requests due to pooling and single submission of repetitive user requests. Thus, to accomplish these goals the instantly claimed invention allows users to submit their requests to a *page acquisition server*, this server *collects and schedules the requests to accomplish the two advantages discussed above* (i.e. reduce users' waiting time and reduce requests sent to web server).

The Examiner cites Jilk as the base reference for establishing a 103(a) obviousness rejection, in some combination with Ali and Peterson. These references will be briefly explained and contrasted with the instantly claimed invention.

As best understood, Jilk appears to be directed towards a method of operating one or more Web pages **by email**. Jilk maintains a queue that holds URL requests, such that those requests **are retrieved in priority order** and are utilized to transmit the web page via email. *This is in stark contrast to the instant invention, in which a plurality of users are requesting web pages and the web page requests are processed such that there are no overlapping requests. In other words, the requests are not simply handled in priority order as in Jilk, rather they are integrated to the extent possible and submitted as a single request, with results ultimately being distributed to the plurality of users that made the similar requests.* This helps, *inter alia*, reduce the number of requests sent to the web page server.

As best understood, Ali does not overcome the deficiencies of Jilk described above. Ali teaches a cached library server for retrieving information for clients. Nowhere does Ali teach or suggest that client requests from web page servers should be integrated into a single request so as to reduce the requests ultimately sent to the server.

As best understood, Peterson does not overcome the deficiencies of Jilk and Ali, as above. Nowhere in Peterson is it taught or suggested that more than one users' requests should be integrated into an integrated list and submitted as a single, non-overlapping request such that the burden on the web page server is reduced. Thus, Peterson also fails to overcome the deficiencies of Jilk and Ali.

Solely in an effort to expedite prosecution, Applicants have amended the independent claims to recite, *inter alia*,

A web page acquisition service system, said system comprising: a web page acquisition server and a *plurality of user terminals* connected *via* a communication network; wherein said *terminals transmit* to said web page acquisition server *user profiles and* web page acquisition requests *including* acquisition conditions; wherein, *according to the web page acquisition requests*, said web page acquisition server generates an integrated web page acquisition list comprising non-overlapping web page acquisition requests, *said integrated list further comprising: a user name field; a time field; a URL field; and a depth field*; wherein, in accordance with said *integrated web page acquisition list* and at least one predetermined scheduling rule, said web page acquisition server acquires ~~a~~ web page *sources* from a web server on said communication network; wherein said web page *sources are* formed into library *files* that, in accordance with said web page acquisition *requests*, is obtained and held in said web page acquisition server; *and* wherein, when said web page acquisition server receives from the terminals a plurality of web page acquisition requests for a same web page source, said web page acquisition server obtains and archives, utilizing a single request to a web server according to the integrated list, a corresponding web page source for said plurality of requests such that *a the same* web page *source* must be requested and obtained only once for the terminals.

(Claim 1) (emphasis added). The remaining independent claims contain similar language. This language is intended to more clearly indicate that the claimed invention utilizes and integrated list, not taught in the art of record or in the state of the art. The integrated list reduces, *inter alia*, any repetitive requests, thus reducing the burden on the web page server. Support for these amendments can be found throughout the specification, particularly at Figure 7 and accompanying text.

Applicants respectfully submit that neither Jilk, Ali, Suzuki nor Peterson considered alone or in any combination, teach or suggest all the limitations of the independent claims. The remaining claims depend from the independent claims and so

are all allowable for at least the same reasons as the independent claims. Thus, Applicants respectfully request that the Examiner withdraw the rejection of the claims under 35 U.S.C. § 103(a).

It should also be noted that certain dependent claims have been amended to conform their language to the amended independent claims and highlight additional novel features of the instantly claimed invention (e.g. claims 4 and 20). Support for these amendments can be found throughout the specification and particularly at pp. 25, lines 4-9; pp. 27, lines 4-5.

**Request for Telephone Interview**

Applicants respectfully request that, after taking up and considering this Amendment, the Examiner contact the undersigned at the telephone number listed below should the application not be in condition for allowance. Applicants respectfully submit that this is a particularly appropriate request in light of the extensive prosecution history of this application.

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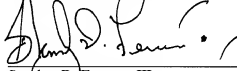
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**Conclusion**

In summary, it is respectfully submitted that the instant application, including Claims 1-4, 6, 8-11, 14, and 16-20, is presently in condition for allowance. Notice to the effect is hereby earnestly solicited. If there are any further issues in this application, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stanley D. Ference III", is written over a horizontal line.

Stanley D. Ference III  
Registration No. 33,879

**Customer No. 35195**  
FERENCE & ASSOCIATES LLC  
409 Broad Street  
Pittsburgh, Pennsylvania 15143  
(412) 741-8400  
(412) 741-9292 - Facsimile

Attorneys for Applicants